

AN ORDINANCE

101162

GRANTING A LICENSE TO USE PUBLIC RIGHTS OF WAY OVER AND UNDER EAST HOUSTON AND BROADWAY STREETS AND PEACOCK ALLEY FOR SEVEN (7) NEW BALCONIES, A NEW HANDRAIL, AN EXISTING SIDEWALK, A NEW CORNICE, AN EXISTING CANOPY, AND AN EXISTING BASEMENT AT THE ADJACENT NEISNER BUILDING AT 409 EAST HOUSTON STREET IN NCB 417 IN COUNCIL DISTRICT 1, FOR A 10-YEAR TERM AND THE CONSIDERATION OF \$32,216.00, WHICH WAS WAIVED IN ACCORDANCE WITH THE 100% REDUCTION PROVIDED UNDER THE CITY'S INCENTIVE SCORECARD PROGRAM

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City hereby authorizes and directs granting, on terms consistent with prior ordinances, a license to use public rights-of-way over and under East Houston and Broadway Streets and Peacock Alley balconies, handrails, a sidewalk, cornices, a canopy, and a basement at the Neisner Building at 409 East Houston Street in NCB 417 in Council District 1, for a 10-year term. The otherwise prescribed consideration, estimated at \$32,216.00 is waived in whole, contingent on the Licensee qualifying under the City's Incentive Scorecard Program.

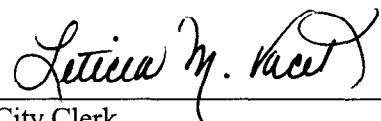
SECTION 2. The City further hereby authorizes and directs the City Manager or his designee: (A) to execute and deliver (1) a License Agreement substantially in the form attached hereto as Exhibit A and (2) all other documents necessary or convenient to effect the transaction contemplated in the License Agreement; and (B) otherwise to do all things necessary or convenient to effect the transaction.

SECTION 3. This ordinance shall become effective August 21, 2005, unless it receives the eight votes requisite to immediate effectiveness under City Code of San Antonio § 1-15, in which case it shall be effective immediately.

PASSED AND APPROVED this 11th day of August, 2005.

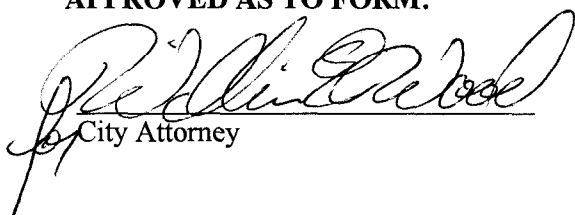

M A Y O R
PHIL HARDBERGER

ATTEST



City Clerk

APPROVED AS TO FORM:



City Attorney